## PRELIMINARY AMENDMENT

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Serial No. 10/808;059 Attorney Docket No. 400.285US01
Title: NROM MEMORY DEVICE WITH HIGH-PERMITTIVITY GATE DIELECTRIC FORMED BY THE
LOW TEMPERATURE OXIDIZATION OF METALS

## In the Claims

48. (currently amended) The method of claim 39 37 wherein the gate dielectric layer is formed on the substrate substantially between the source/drain regions.